

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-14293-CV-MIDDLEBROOKS

ROBERT KATEN, individual,
on behalf of himself and all others
similarly situated,

Plaintiff,

v.

LYONS MAGNUS, LLC, and
TRUE ASEPTICS, LLC,

Defendants.

ORDER CLOSING CASE

THIS CAUSE comes before the Court on Plaintiff's Notice of Voluntary Dismissal without Prejudice, filed December 1, 2022. (DE 16). Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, a plaintiff may voluntarily dismiss an action by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). Defendant has served neither. Accordingly, it is

ORDERED AND ADJUDGED that this case is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court shall **CLOSE THIS CASE**. All pending motions are **DENIED AS MOOT**.

SIGNED in Chambers, at West Palm Beach, Florida, this 5 day of December, 2022.


DONALD M. MIDDLEBROOKS
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record